



Agenda Item Number: 6-6-13.10A

**SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS**

**Date of Commission
Meeting:**

June 6, 2013

**Division / Elected
Office:**

Fire Department

Staff Contact:

James Maxon, Fire Chief

Title of Item:

PROCLAMATION/RESOLUTION BANNING AND
RESTRICTING THE USE OR SALE OF CERTAIN
FIREWORKS IN UNINCORPORATED AREAS OF THE
COUNTY

Action Requested:

Motion to Adopt a Proclamation/Resolution No. 6-6-13.10A
Banning and Restricting the Use or Sale of Certain Fireworks
in Unincorporated Areas of the County

Summary:

Wildland fires continue to be a major concern during the
summer months in Sandoval County. Fireworks increase the
risks of wildland fire activity in the County. This
Resolution/Proclamation will prohibit the sales and use of the
following types of fireworks :

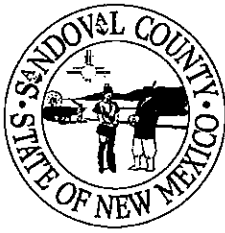
Missile-type rockets, helicopters and aerial spinners, aerial
spinners, stick-type rockets, ground audible devices.

This Resolution/Proclamation will limit the use of ground and
hand-held sparkling and smoke device type fireworks and
bands the use of all fireworks in all of the wildlands in the
unincorporated area of Sandoval County. Additionally, the
Resolution/Proclamation bans the sale or use of display
fireworks.

The limitations and bands will be in effect or the next thirty days.

Attachments:

Proclamation/Resolution No. 6-6-13.10A



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FISCAL IMPACT

None

STAFF ANALYSIS SUMMARY

County Manager:	Recommend Board of County Commission approval. PPR 5/28/2013
Initiating Elected Official / Division Director:	Recommend Approval 5/28/2013 JHM
Legal:	Approved as to form. 5/29/2013 PFT
Finance:	N/A



SANDOVAL COUNTY
BOARD OF COMMISSIONERS
PROCLAMATION/RESOLUTION NO. 6-6-13.10A

**BANNING AND RESTRICTING THE USE OR SALE OF CERTAIN
FIREWORKS IN UNINCORPORATED AREAS OF THE COUNTY**

WHEREAS, the fire danger is the most severe it has been in many years in the unincorporated areas of Sandoval County and surrounding jurisdictions; and

WHEREAS, data obtained through the National Weather Service, the U.S. Forest Service and the New Mexico State Forester, indicate severe drought conditions exist; and

WHEREAS, the risk to life, property and the environment clearly exists within the unincorporated areas of Sandoval County, due to the severe drought conditions; and

WHEREAS, the possibility of extreme fire situations will severely burden local, state and federal resources; and

WHEREAS, the 4th of July weekend is approaching and fireworks are traditionally used to celebrate; and

WHEREAS, fireworks are another source of ignition in the severely dry, drought conditions currently existing in Sandoval County; and

WHEREAS, NMSA Section 60-2C-8.1(E)(F)(G) and (H) authorizes local governing bodies of counties to ban the use of fireworks in severe or extreme drought conditions; and

WHEREAS, fireworks are defined in the Fireworks Licensing and Safety Act NMSA 60-2C-2 as amended, as a device intended to produce a visible or audible effect by combustion, deflagration or detonation, and

CONTINUATION PAGE 2, PROCLAMATION/RESOLUTION NO. 6-6-13.10A BANNING AND RESTRICTING THE USE OR SALE OF CERTAIN FIREWORKS IN UNINCORPORATED AREAS OF THE COUNTY.

WHEREAS, the Board of County Commissioners of Sandoval County have held a hearing to determine if fireworks restrictions should be imposed within the unincorporated portions of Sandoval County affected by extreme or severe drought restrictions.

NOW THEREFORE, IT IS HEREBY PROCLAIMED by the Board of County Commissioners of Sandoval County that a severe drought condition exists which affects the safety and welfare of Sandoval County citizens and their property, and therefore:

1. Bans the sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the unincorporated areas of Sandoval County.
2. Limits the use of ground and hand-held sparkling and smoke device type fireworks, as identified and defined in NMSA Section 60-2C-7(A)(1), within the unincorporated areas of Sandoval County to areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or general public.
3. Bans the use of all fireworks in all of the wildlands in the unincorporated area of Sandoval County.
4. Bans the sale or use of display fireworks in the unincorporated area of Sandoval County.

The limitations and bans contained hereinabove shall be in effect for the next thirty (30) days.

**CONTINUATION PAGE 3, PROCLAMATION/RESOLUTION NO. 6-6-13.10A BANNING AND
RESTRICTING THE USE OR SALE OF CERTAIN FIREWORKS IN UNINCORPORATED
AREAS OF THE COUNTY.**

APPROVED AND ADOPTED this 6th day of June 2013.

**SANDOVAL COUNTY BOARD OF
COMMISSIONERS**

Darryl F. Madalena, Chair

Nora Scherzinger, Vice Chair

Orlando Lucero, Member

Don Chapman, Member

Glenn Walters, Member

APPROVED AS TO FORM:

Patrick F. Trujillo, County Attorney

ATTEST:

Eileen Garbagni, County Clerk